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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. 4-10-70784-MAG
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER TO CONTINUE STATUS
v.)	CONFERENCE AND WAIVER OF
)	TIMING FOR PRELIMINARY HEARING
JANE DOE, a/k/a "NAVCHAA SUREN,")	AND EXCLUDING TIME UNDER THE
)	SPEEDY TRIAL ACT
Defendant.)	
)	
)	

IT IS HEREBY STIPULATED AND AGREED between the plaintiff through its attorney, Joshua Hill, and the defendant through her attorney, Angela Hansen, that the status hearing presently set for September 30, 2010, be continued to October 13, 2010 at 10:00 a.m. Defendant is awaiting discovery from the United States Attorney's Office in the Western District of New York. Defendant is investigating the immigration consequences of this matter. Moreover, defendant is attempting to negotiate a resolution of the above-referenced matter with the United States Attorney's Office in the Western District of New York. The parties agree that the delay is not attributable to lack of diligent preparation on the part of the attorney for the government or defense counsel. For these reasons, the parties request that time under the Speedy Trial Act be excluded based on the parties' need for reasonable time necessary for effective

preparation, taking into account the exercise of due diligence. The defendant waives the timing of a preliminary hearing under Rule 5.1 of the Federal Rules of Criminal Procedure. The parties agree that the waiver covers all time between the date of this stipulation and October 13, 2010.

IT IS SO STIPULATED:

Dated: September 27, 2010

/S/
ANGELA HANSEN
Attorney for Defendant


Dated: September 27, 2010

/S/
JOSHUA HILL
Assistant United States Attorney

ORDER

GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the hearing in this matter now scheduled for September 30, 2010 is hereby rescheduled for October 13, 2010 at 10:00 a.m. Based upon the representation of counsel and for good cause shown, the Court also finds that failing to exclude the time between September 30, 2010 and October 13, 2010 would unreasonably deny the government and the defense the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time between September 30, 2010 and October 13, 2010 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore, it is hereby ordered that the time between September 30, 2010 and October 13, 2010 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). It is also hereby ordered that the calculation of the timing of a preliminary hearing shall exclude the time between September 30, 2010 and October 13, 2010.

DATED: September 30, 2010


LAUREL BEELER
United States District Court Judge